

**CONCLUSION OF SESSION FOR LOCAL AND  
UNCONTESTED BILLS CALENDAR**

The Presiding Officer (Senator Hightower in Chair) announced that the session for the consideration of the Local and Uncontested Bills Calendar was concluded.

**ADJOURNMENT**

On motion of Senator Andujar the Senate at 8:58 o'clock a.m. adjourned until 10:00 o'clock a.m. today.

**FIFTY-FOURTH DAY  
(Thursday, April 12, 1973)**

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wolff.

The following Senators were absent-excused: McKnight and Wallace.

A quorum was announced present.

The Reverend Michael Thompson, St. David's Episcopal Church, Garland, Texas, offered the invocation as follows:

Almighty God, the supreme law giver who gavest us the commandments of eternal life; and who hast ordained that the greatest of these is love. Inspire and strengthen us, we beseech thee, in our legislative deliberations that we may radiate this concern in all our actions for the government of our fellowman, to the setting forth of Thy glory and the welfare of Thy people, through Jesus Christ, Thy son, our Lord,--and now go about your elected duties as representatives of the people of this great state--be kindly affectioned to one another with brotherly love, render no man evil for evil; support the weak, relieve the oppressed, comfort all senior citizens, widows and orphans, yea honor all men-- and the blessing of God the Father, God the Son, and God the Holy Spirit be with you now and always. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**LEAVES OF ABSENCE**

Senator Wallace was granted leave of absence for today on account of important business on motion of Senator Clower.

Senator McKnight was granted leave of absence for today on account of

important business on motion of Senator McKinnon.

### REPORTS OF STANDING COMMITTEES

Senator Mauzy submitted the following reports for the Committee on Education:

C.S.H.B. 206 (Read first time)  
S.B. 718  
S.B. 692  
S.B. 801

Senator Brooks submitted the following reports for the Committee on Human Resources:

S.B. 638  
S.B. 624 (Amended)

Senator Moore submitted the following report for the Committee on State Affairs:

S.B. 875

Senator Sherman submitted the following reports for the Committee on Natural Resources:

S.B. 681  
C.S.S.B. 538 (Read first time)  
C.S.H.B. 94 (Read first time)  
C.S.S.B. 847 (Read first time)  
C.S.S.B. 173 (Read first time)  
H.B. 158 (Amended)  
C.S.S.B. 534 (Read first time)  
S.B. 645 (Adversely)  
S.B. 533 (Adversely)

### MESSAGE FROM THE HOUSE

Hall of the House of Representatives  
Austin, Texas, April 12, 1973

Honorable William P. Hobby  
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 417, A bill to be entitled An Act relating to the definition and regulation of unlawful trade, acts and practices, the protection of Texas consumers, and providing for consumer remedies; amending Chapter 17, Business and Commerce Code, as amended, by adding Subchapter E; repealing Chapter 10, Title 79, Revised Civil Statutes of Texas, 1925, as amended (Articles 5069-10.01 et seq., Vernon's Texas Civil Statutes); and declaring an emergency.

Respectfully submitted,  
DOROTHY HALLMAN  
Chief Clerk, House of Representatives

**HOUSE BILLS AND RESOLUTIONS ON FIRST READING**

The following bills and resolutions received from the House, were read the first time and referred to the Committees indicated:

H.B. 563, To Committee on State Affairs.  
H.B. 564, To Committee on State Affairs.  
H.B. 350, To Committee on State Affairs.  
H.B. 913, To Committee on Intergovernmental Relations.  
H.B. 417, To Committee on Jurisprudence.  
H.C.R. 131, To Committee on Administration.  
H.C.R. 134, To Committee on Administration.

**SENATE BILLS ON FIRST READING**

By unanimous consent, the following bills were introduced, read first time and referred to the Committee indicated:

By Senator Aikin:

S.B. 911, A bill to be entitled An Act amending Article 2.12 of the Code of Criminal Procedure, so as to add probation and juvenile officers to the list of peace officers; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Brooks:

S.B. 912, A bill to be entitled An Act relating to the payment by the Battleship Texas Commission of certain excess net revenues derived from admission charges or from concession contracts into the General Revenue Fund of the State of Texas; amending Section 6, Chapter 139, Acts of the 50th Legislature, Regular Session, 1947, as amended (Article 6145-2, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Finance.

By Senator Schwartz:

S.B. 913, A bill to be entitled An Act relating to the change of name of the County Court No. 2 of Galveston County to the Probate Court of Galveston County; amending Chapter 187, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 1970-342, Vernon's Texas Civil Statutes), by adding a Section 1a; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Blanchard:

S.B. 914, A bill to be entitled An Act relating to the salary of the Criminal District Attorney of Lubbock County; amending Section 4, Chapter 776, Acts of the 62nd Legislature, Regular Session, 1971 (Article 326k-69, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Intergovernmental Relations.

**HOUSE BILL 449 ON SECOND READING**

Senator Adams asked unanimous consent to suspend the regular order of business and take up H.B. 449 for consideration at this time.

There was objection.

Senator Adams then moved to suspend the regular order of business and take up H.B. 449 for consideration at this time.

The motion prevailed.

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H.B. 449, A bill to be entitled An Act relating to the creation of the constitutional office of Criminal District Attorney of Kaufman County; abolishing the office of County Attorney of Kaufman County; and declaring an emergency.

The bill was read second time and was passed to third reading.

#### **HOUSE BILL 449 ON THIRD READING**

Senator Adams moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 449 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wolff.

Absent-excused: McKnight and Wallace.

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### **HOUSE BILL 461 ON SECOND READING**

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H.B. 461, A bill to be entitled An Act relating to services of process on foreign corporations, joint stock companies or associations, or acting corporations or associations; etc.; and declaring an emergency.

The bill was read second time and was passed to third reading.

#### **HOUSE BILL 461 ON THIRD READING**

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 461 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wolff.

Absent-excused: McKnight and Wallace.

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wolff.

Absent-excused: McKnight and Wallace.

#### **MOTION TO PLACE HOUSE BILL 120 ON THIRD READING**

Senator Gammage asked unanimous consent to suspend the regular order of business and take up H.B. 120 for consideration at this time.

There was objection.

Senator Gammage then moved to suspend the regular order of business and take up H.B. 120 for consideration at this time.

The motion was lost by the following vote: (Not receiving two-thirds vote of the Members present) Yeas 18, Nays 11.

Yeas: Adams, Andujar, Blanchard, Braecklein, Brooks, Clower, Gammage, Harrington, Kothmann, Longoria, Meier, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson and Wolff.

Nays: Aikin, Creighton, Harris, Herring, Hightower, Jones, Mauzy, McKinnon, Mengden, Moore and Traeger.

Absent-excused: McKnight and Wallace.

#### **MOTION TO PLACE SENATE JOINT RESOLUTION 29 ON SECOND READING**

Senator Traeger asked unanimous consent to suspend the regular order of business and take up S.J.R. 29 for consideration at this time.

There was objection.

Senator Traeger then moved to suspend the regular order of business and take up S.J.R. 29 for consideration at this time.

The motion was lost by the following vote: (Not receiving two-thirds vote of the Members present) Yeas 18, Nays 11.

Yeas: Adams, Andujar, Blanchard, Brooks, Creighton, Gammage, Harrington, Hightower, Jones, Kothmann, Longoria, Meier, Ogg, Santiesteban, Schwartz, Sherman, Snelson and Traeger.

Nays: Aikin, Braecklein, Clower, Harris, Herring, Mauzy, McKinnon, Mengden, Moore, Patman and Wolff.

Absent-excused: McKnight and Wallace.

#### **COMMITTEE SUBSTITUTE SENATE BILL 33 ON SECOND READING**

Senator Longoria asked unanimous consent to suspend the regular order of business and take up C.S.S.B. 33 for consideration at this time.

There was objection.

Senator Longoria then moved to suspend the regular order of business and take up C.S.S.B. 33 for consideration at this time.

The motion prevailed by the following vote: Yeas 20, Nays 9.

Yeas: Andujar, Braecklein, Brooks, Creighton, Gammage, Harrington, Harris, Kothmann, Longoria, McKinnon, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Snelson, Traeger and Wolff.

Nays: Adams, Aikin, Blanchard, Clower, Herring, Hightower, Jones, Mauzy and Sherman.

Absent-excused: McKnight and Wallace.

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

C.S.S.B. 33, A bill to be entitled An Act relating to the regulation of private clubs operated by certain veterans' and fraternal organizations; amending Subsection 12, Section 15(e), Article I, Texas Liquor Control Act, as amended (Article 666-15c, Vernon's Texas Penal Code); and declaring an emergency.

The bill was read second time and was passed to engrossment.

#### **RECORD OF VOTES**

Senators Sherman and Mauzy asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

#### **BILLS AND RESOLUTION SIGNED**

The President Pro Tempore announced the signing in the presence of the Senate after the caption had been read, the following enrolled bills and resolution:

H.B. 9  
H.B. 143  
H.B. 188  
H.C.R. 137

#### **COMMITTEE SUBSTITUTE SENATE BILL 701 ON SECOND READING**

On motion of Senator Meier and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 701, A bill to be entitled An Act relating to the licensing of adjusters of claims arising under insurance contracts, providing penalties; and declaring an emergency.

The bill was read second time and was passed to engrossment.

**COMMITTEE SUBSTITUTE SENATE BILL 701  
ON THIRD READING**

Senator Meier moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 701 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 3.

Yeas: Adams, Andujar, Blanchard, Bracklein, Brooks, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Kothmann, Longoria, Mauzy, McKinnon, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wolff.

Nays: Aikin, Clower and Jones.

Absent-excused: McKnight and Wallace.

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 3.

Yeas: Adams, Andujar, Blanchard, Bracklein, Brooks, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Kothmann, Longoria, Mauzy, McKinnon, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wolff.

Nays: Aikin, Clower, and Jones.

Absent-excused: McKnight and Wallace.

**SENATE BILL 854 ON SECOND READING**

On motion of Senator Snelson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 854, A bill to be entitled An Act amending Section 2, Chapter 397, Acts of the 54th Legislature, 1955, as last amended by Chapter 418, Acts of the 62nd Legislature, Regular Session, 1971, (codified as Article 3.70-2, Vernon's Texas Insurance Code); relating to accident and sickness insurance; requiring that every accident and health policy delivered, providing hospital, medical or surgical coverage for additional newborn children provide coverage for such newborn children, to the extent provided in the policy, from the moment of birth; and providing an effective date.

The bill was read second time.

Senator Snelson offered the following Committee Amendment to the bill:

Amend Senate Bill 854, Section 2, to provide that the effective date of this Act shall be September 1, 1973.

The Committee Amendment was read and was adopted.

Senator Snelson offered the following Committee Amendment to the bill:

Amend Section 1, Senate Bill 854, by adding the word "and" after the word "from" and before the word "after" where they appear in the Section.

The Committee Amendment was read and was adopted.

Senator Snelson offered the following Committee Amendment to the bill:

Amend Section 2 of Senate Bill 854 by deleting therefrom the word "which" where it appears on the first line of page 2 of the bill, and substituting in lieu thereof the word "but".

The Committee Amendment was read and was adopted.

Senator Snelson offered the following amendment to the bill:

Amend Senate Bill 854 by inserting a new sentence on line 50 of page one of the bill, beginning after the word "hereof", to read as follows:

"The insurer may charge such additional premiums as are provided in its rating schedule for such coverage by the addition of the newborn child."

The amendment was read and was adopted.

On motion of Senator Snelson and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### **SENATE BILL 854 ON THIRD READING**

Senator Snelson moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 854 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Wolff.

Nays: Blanchard.

Absent-excused: McKnight and Wallace.

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### **SENATE BILL 465 ON SECOND READING**

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 465, A bill to be entitled An Act relating to requiring the Parks and Wildlife Department to determine the boundaries of state-owned land in and around Armand Bayou in Harris County; and declaring an emergency.

The bill was read second time.



Senator Brooks offered the following amendment to the bill:

Amend S.B. 465 to include after the words "Parks and Wildlife Department" where they appear consecutively in Section 1 of the bill the following: "and the General Land Office".

The amendment was read and was adopted.

On motion of Senator Brooks and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### SENATE BILL 465 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 465 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKinnon, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Tracer and Wolff.

Absent-excused: McKnight and Wallace.

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### NOTICES OF INTENT

The following Notices of Intent were filed with the Secretary of the Senate:

Friday, April 13, 1973

H.B. 120 - Senator Gammage  
H.B. 316 - Senator Gammage  
C.S.H.B. 1087 - Senator Santiesteban  
C.S.S.B. 33 - Senator Longoria  
C.S.S.B. 66 - Senator Braecklein  
S.B. 74 - Senator Jones (Motion to Lay on Table)  
C.S.S.B. 75 - Senator Mauzy  
C.S.S.B. 109 - Senator Moore  
S.B. 123 - Senator Gammage  
S.B. 234 - Senator Creighton  
C.S.S.B. 252 - Senator Gammage  
S.B. 340 - Senator Moore  
C.S.S.B. 721 - Senators Brooks and Ogg  
S.B. 760 - Senator Ogg  
S.B. 772 - Senator Ogg  
S.B. 887 - Senator Aikin  
S.B. 888 - Senator Aikin  
S.C.R. 45 - Senator Santiesteban

**MEMORIAL RESOLUTIONS**

S.R. 545 - By Senator Harris: Memorial resolution for Mrs. Frances W. Harris.

S.R. 547 - By Senators Hightower and Snelson: Memorial resolution for Robert W. Whipkey.

S.R. 548 - By Senator Snelson: Memorial resolution for Mrs. Viola Mae Jones.

S.R. 560 - By Senator Mengden: Memorial resolution for Desmond A. Barry.

**WELCOME AND CONGRATULATORY RESOLUTIONS**

S.R. 546 - By Senator Clower: Extending welcome to Father Micky Thompson.

S.R. 549 - By Senator Jones: Extending congratulations to Rev. Clarence Sanders.

S.R. 550 - By Senator Jones: Extending congratulations to Dr. Alfred T. Braithwaite.

S.R. 551 - By Senator Jones: Extending congratulations to Leroy Fowler.

S.R. 552 - By Senator Jones: Extending congratulations to Dr. Garry H. Radford, Sr.

S.R. 553 - By Senator Adams: Extending congratulations to Miss Gwenn Williford.

S.R. 554 - By Senator Adams: Extending congratulations to Timpson High School Band.

S.R. 555 - By Senator Adams: Extending congratulations to Edward Clark.

S.R. 556 - By Senator Adams: Extending congratulations to Texas Forestry Association.

S.R. 557 - By Senator Adams: Extending congratulations to Todd Brown Tyson.

S.R. 558 - By Senator Adams: Extending congratulations to John D. Richardson.

S.R. 559 - By Senator Adams: Extending congratulations to Mrs. Norma Glawson.

S.C.R. 83 - By Senator Creighton: Proclaiming Secretaries Week, April 22-28.

**ADJOURNMENT**

On motion of Senator Aikin the Senate at 11:07 o'clock a.m. adjourned until 9:00 o'clock a.m. tomorrow.